Greetings, Licensees of the Oregon Mortuary & Cemetery Board and other Interested Persons!

Happy Birthday to us!! Yes! Today,

June 6, 2012, your Board is 91 years old! (WOW!!) The OMCB actually started as the Oregon State Embalmers Examining Board on June 6, 1921. In 1937 we became the Oregon State Funeral Directors & Embalmers Board…. And in 1985 we began regulating cemeteries, therefore, the Oregon State Mortuary & Cemetery Board. A long, rich history, for sure! I’ve read some of the “minutes” of years past … very interesting. 😊 We’ve come a very long way!

Well, this is the fourth issue of the OMCB’s informal, “periodic,” educational emails, but did you know that our website is chalk full of good information?? From sample forms to laws to memos on scattering and private property burial! From “Cemetery Guidelines” to how to attend our next Board Meeting without leaving home! Check it out and keep coming back for new or updated information! Click here: www.oregon.gov/mortcem

1. “But the salesperson said EVERYTHING was taken care of - that when I died, it was all paid for!” or

   “Our Dad told us that when he passed away, EVERYTHING would be paid for. He didn’t want to burden us with these charges so he prepaid for everything! But now we find we owe $2000.00 more!”

What did you just buy from the cemetery? A grave, crypt or niche (for cremated remains)? Do you know that when you buy a *right of interment* in a cemetery space you are not paying for the ‘opening and closing’ of the grave, niche or crypt? Down the road, someone has to open it up and then close it. There are charges for that.

Other charges might be the grave liner or casket (if the cemetery requires these - Oregon law doesn’t)…or the cremation service itself…or picking up the body at the place of death or any public or private services with or without the body present, or a scheduled graveside
service... Remember, there are charges for funeral home goods and services, and there are charges for cemetery goods and services. (Sometimes, when these two facilities are co-located, it's confusing to the consumer, especially since some Cemeteries permit local funeral homes to sell the Cemetery’s interment rights!)

So, KNOW what you are buying, find out what else is needed, what those prices are now, and be aware they may go up when they are needed. You might consider pre-paying for goods and services to lock in the prices (if the funeral home or cemetery is allowed to sell prearranged goods and services).

2. “Why doesn’t our Cemetery get a copy of the death certificate anymore?”

Remember when there were only paper copies of death certificates? There were four copies: White, pink, yellow, and green. The cemetery would get the green and yellow copies (the sexton signs the carbon document, enters the date of verification/disposition on it, and then keeps the green copy and mails the yellow copy to the Department of Human Services [Now: Oregon Health Authority, Center for Health Statistics]). That green copy had a lot of personal information: the decedent’s parents’ names, place of birth and death, the informant’s name and contact information, and other information... much of it was used in genealogical research.

Now, with the EDRS system (electronic filing), the only document the cemetery usually sees is the “Final Disposition Authorization.” Funeral homes are prohibited by law from making copies of death certificates to give to anyone. Only certain persons can obtain certified copies of death certificates, and only OHA can determine who that may be. (Death certificates are not subject to public records disclosure until 50 years after death.) Cemeteries may contact OHA to see if they qualify to receive a ‘short form’ certificate -- for a fee. (Some of the personal information has been redacted, so we aren't sure the cemetery would benefit in taking that step.) OHA website for contact information:

“But, how can we get the records we need for the State inspection?”

Most of the required information for cemetery records is contained on the Final Disposition Authorization form issued by OHA, and on the OMCB’s new disposition authorization form (see below, #3).

We get this question a lot, too: “What if cremated remains come to the cemetery without the ID Tag?” Not to worry, sometimes it can’t be helped...the Board understands the cemetery may not be given this tag or the tag number with cremated remains.

3. Disposition Authorization or Scattering Service Authorization required in the permanent records - One sample is on our website now!

Oregon administrative rules have long provided that licensees must obtain written permission to embalm or cremate remains from the person with the right to control final disposition under ORS 97.130(1) or (2). OMCB rules were recently expanded to include written permission for all disposition and scattering services from the person with the right to control final disposition. Final disposition, in addition to cremation, includes interring or entombing remains, dissolution, or removing remains from the state of Oregon. See OAR 830-040-0000(7)(g) and ORS 97.130(1) and (2)
This authorization must include the following:
- the printed name, signature and phone number of the person authorizing the embalming, final disposition or scattering;
- their relationship to the deceased;
- the date and time the written permission was obtained from the authorizing agent (if funeral homes are obtaining the burial authorization from the family for a cemetery, the funeral home should be recording this information - and a copy should go to the cemetery); and
- the printed name and signature of the licensee or facility representative acquiring the authorization. (EDRS signature works)

You can download these Sample Forms and begin using them for obtaining these authorizations for your permanent records.

4. Giving out the General Price List and Casket Price List:

Funeral Director: “I asked the family if they wanted a General Price List, but they said ‘no’ -- so I didn’t give them one.”

Is there something wrong with that statement? Yes. A verbal offer of a General Price List (GPL) isn’t enough to comply with the Federal Trade Commission’s Funeral Rule. A funeral director also can’t show clients a GPL on a computer monitor or in a booklet or binder where it appears that there is only one copy available - or that the booklet is solely for the funeral director’s use. Funeral providers must physically offer consumers their current, dated, General Price List so that they can keep and take it home with them. (If the consumer does not want to accept or look at the General Price List, you don’t have to do anything else. However, you shouldn’t discourage customers from looking at the GPL, such as telling them that it is unnecessary or difficult to understand.)

The Casket Price List must also be shown to consumers when discussing caskets and must include caskets the facility offers as well as the description and price of any cremation alternative containers and minimal burial casket(s). See this article from the Federal Trade Commission - it’s about a facility that did not provide the list as required:

Did you know this applies in preneed arrangements? You must give out a General Price List and show the casket price list in all preneed situations, too. Because you may sell different goods and services on a preneed basis, your preneed GPL may vary from the GPL you use in at need situations. However, any General Price List that you use for preneed arrangements must include all required FTC disclosures and must offer goods and services on an itemized basis. You cannot offer only package funerals to preneed customers. See the Federal Trade Commission’s Funeral Rule - 16 CFR 453.2(b)(4)(i)(A)

We continue to receive good reports from recipients of OMCB E-News - and thank you for your ideas! We try to keep these emails ‘short,’ so if your suggestion isn’t in this newsletter, look for it coming up soon. (If you wish to be removed from the Interested Persons list, merely respond to this email and let us know.)
Enjoy summertime, it’s supposed to be coming soon! As always, call if you have any questions...

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Forms & General Information: www.oregon.gov/mortcem

Oregon Mortuary & Cemetery Board
Regulating Death Care Facilities and Practitioners in Oregon

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